

**California Code of Regulations
Title 4. Business Regulations
Division 3. Bureau of Home Furnishings**

ORDER OF ADOPTION

Amend section 1101 of Article 1 to read as follows:

1101. Definitions of Bureau and Act.

For the purposes of these rules and regulations, the term "Bureau" means the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation, and the term "act" means Chapter 3 of Division 8 of the Business and Professions Code, which chapter is also cited as the Home Furnishings Act.

Note: Authority cited: Section 19034, Business and Professions Code. Reference: Sections 19000 and 19004, Business and Professions Code.

Amend section 1126 of Article 2 to read as follows:

1126. Official Law Label Requirements.

This section operative until December 31, 2014. This section inoperative as of January 1, 2015. See following Section 1126, operative on and after January 1, 2015.

- (a) Attachment of Law Labels. Labels shall be securely fastened onto completed articles and bulk materials in a manner approved by the Bureau in such an area as to be openly and easily visible to view. Labels are not to be concealed or obstructed from view in any manner.
- (b) Label Material. Law labels shall be constructed of material approved by the Bureau and shall not be easily torn or defaced.
- (c) Color of Label and Color of Ink:
 - (1) A white law label printed in black ink shall be used for new materials.
 - (2) A red law label printed in black ink shall be used for materials which are in whole or in part secondhand (used).
 - (3) A green label printed in black ink shall be used for "Owner's Material."
- (d) Statements and Headings to be Shown on Law Labels:
 - (1) "UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER" shall appear at the top of the label.
 - (2) Headings shall read "All New Material" when the material is wholly new; "Secondhand (Used) Material" when the material is in whole or in part secondhand.
 - (3) Description of filling material as provided in the applicable regulations.
 - (4) For owner's own materials the heading shall state: "THIS ARTICLE NOT FOR SALE" - "OWNER'S MATERIAL."
 - (5) The registry number assigned or approved by the Bureau.
 - (6) "Certification is made by the manufacturer that the materials in this article are described in accordance with law."

- (7) For owner's own materials the certification portion of the label shall state:
"CERTIFICATION IS MADE THAT THIS ARTICLE CONTAINS THE SAME MATERIAL IT DID WHEN RECEIVED FROM THE OWNER AND THAT ADDED MATERIALS ARE DESCRIBED IN ACCORDANCE WITH LAW AND CONSIST OF THE FOLLOWING."
- (8) For owner's own materials the name and address of the owner.
- (9) The finished size of articles of bedding such as sleeping bags, mattresses, comforters, mattress pads, pads, box springs, pillows, and similar articles, showing the width and length expressed in inches. Decorator pillows need not show size.
- (10) The net weight of filling materials in articles of bedding such as sleeping bags, mattresses, box springs, pads and similar items, stated in pounds and ounces.
- (11) All bulk filling materials which meet the requirements of Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation Technical Bulletin No. 117, dated March 2000 shall have imprinted on the law label immediately following the requirements as set forth in subsection (c) of this section the statement: "THIS PRODUCT MEETS THE REQUIREMENTS OF BUREAU OF ELECTRONIC AND APPLIANCE REPAIR, HOME FURNISHINGS AND THERMAL INSULATION TECHNICAL BULLETIN 117."
- (12) In addition to the requirements set forth in subsection (11) of this section all invoices for products meeting the requirements of Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation Technical Bulletin No. 117, dated March 2000 shall have stated on such invoices the identification of the product meeting the requirement and the statement that such identified products meet the requirements of Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation Technical Bulletin No. 117.
- (e) Size of Law Labels and Type of Printing:
 - (1) The minimum size of labels shall be 2 x 3 inches. Labels shall be larger when the required size of type and statements make it necessary.
 - (2) The minimum size of type shall be one-eighth inch in height, in capital letters.
 - (3) All printing shall be in English.
- (f) Forms of Law Labels.

Type No. 1

For articles of upholstered furniture without loose cushions, also for decorator pillows, chair cushions, quilted bedspreads, headboards, hassocks, and similar items.

(Space for Stitching)		(WHITE LABEL) Minimum type size one-eighth inch in height, in capital letters. Insert description of filling materials by clearly imprinting in English, using capital letters not less than one-eighth inch high. Name and address of vendor or manufacturer optional.
UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER.		
ALL NEW MATERIAL consisting of _____		
(This space for revenue stamp when required)	Registry No. _____ Certification is made by the manufacturer that the materials in this article are described in accordance with law.	
Name and address of vendor or manufacturer _____		

Type No. 2

For articles of furniture with loose cushions.

(Space for Stitching)		(WHITE LABEL) Minimum type size one-eighth inch in height, in capital letters. Insert description of filling materials by clearly imprinting in English, using capital letters not less than one-eighth inch high.
UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER.		
ALL NEW MATERIAL consisting of _____		
BODY: _____		
BACK CUSHIONS: _____		
SEAT CUSHIONS: _____		
(This space for revenue stamp when required)	Registry No. _____ Certification is made by the manufacturer that the materials in this article are described in accordance with law.	
Name and address of vendor or manufacturer _____		
(Space for Stitching)		

Type No. 3

For owner's own materials.

(Space for Stitching at top or bottom)		(GREEN LABEL)
UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER.		
This Article Not For Sale OWNER'S MATERIAL —		Minimum type size one-eighth inch in height, in capital letters.
Certification is made that this article contains the same material it did when received from the owner and that added materials are described in accordance with law, and consist of the following ALL NEW MATERIAL —		
Renovated or repaired by: —		Insert description of filling materials by clearly imprinting in English, using capital letters not less than one-eighth inch high. This space optional.
Registry No. _____	Date _____	
Owner:		
Address:		
(Space for Stitching at top or bottom)		

Type No. 4

For bulk filling materials such as batting and pads.

Space for stitching or tying (method optional)	
UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER.	
ALL NEW MATERIAL —	
Insert description of filling materials by clearly imprinting in English, using capital letters not less than one-eighth inch high.	
Net Wt. _____	
Certification is made by the manufacturer that the materials in this article are described in accordance with law.	
REGISTRY NO. _____	
Name and address of vendor or manufacturer —	

Type No. 5

For packaged filling materials ready for use by the ultimate customer.

UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER.	
<p style="font-size: 1.2em; margin: 0;">ALL NEW MATERIAL</p> <div style="border: 1px solid black; padding: 2px; width: fit-content; margin: 10px auto;"> REGISTRY NO. </div> <p style="font-size: 0.8em; margin: 5px 0;"> Certification is made by the manufacturer that the materials in this article are described in accordance with law. </p> <p style="font-size: 0.8em; margin: 5px 0;"> Name and address of vendor or manufacturer </p>	<p>Minimum type size one-eighth inch in height, in capital letters.</p> <p>Insert description of filling materials by clearly imprinting in English, using capital letters not less than one-eighth inch high.</p> <p>This space optional.</p>

Type No. 6

For articles of bedding, such as bed pillows, comforters, mattress pads and similar items.

<i>(Space for Stitching)</i>		<p>(WHITE LABEL)</p> <p>Minimum type size one-eighth inch in height, in capital letters.</p> <p>Insert description of filling materials by clearly imprinting in English, using capital letters not less than one-eighth inch high.</p> <p>This space optional.</p>
UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER.		
<p style="font-size: 1.2em; margin: 0;">ALL NEW MATERIAL consisting of</p>		
<p>Finished Size _____</p>	<p>Registry No. _____</p>	
<p style="font-size: 0.8em;"> Certification is made by the manufacturer that the materials in this article are described in accordance with law </p>		
<p style="font-size: 0.8em;"> Name and address of vendor or manufacturer </p>		

Type No. 7

For sleeping bags, pads, mattresses, including a hybrid flotation sleep system containing a quilted fabric cover over a traditional water filled bladder, box springs and similar items.

(Space for Stitching)		(WHITE LABEL) Minimum type size one-eighth inch in height, in capital letters. Insert description of filling materials by clearly imprinting in English, using capital letters not less than one-eighth inch high. This space optional.			
UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER.					
ALL NEW MATERIAL consisting of					
Finished Size _____	Net Wt. of Filling Mat'l _____				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%; padding: 2px;"> Registry No. _____ </td> </tr> <tr> <td colspan="2" style="padding: 5px;"> Certification is made by the manufacturer that the materials in this article are described in accordance with law </td> </tr> </table>				Registry No. _____	Certification is made by the manufacturer that the materials in this article are described in accordance with law
	Registry No. _____				
Certification is made by the manufacturer that the materials in this article are described in accordance with law					
Name and address of vendor or manufacturer					

Type No. 8

For bulk material such as batting and any filling material in loose or pre-fabricated form used or which can be used in articles of upholstered furniture.

○ Space for stitching or tying. (Method optional)		
UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER.		
ALL NEW MATERIAL		

Net Wt. _____		
Certification is made by the manufacturer that the materials in this article are described in accordance with law. This product meets the requirements of Bureau of <u>Electronic and Appliance Repair</u> , Home Furnishings and Thermal Insulation Technical Bulletin Number 117.		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;"> REGISTRY NO. </td> </tr> </table>		REGISTRY NO.
REGISTRY NO.		
Name and address of vendor or manufacturer		

Type No. 9

For bedding articles that contain whole or in part any secondhand (used) filling materials.

UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER	(Red Label)
THIS PRODUCT CONTAINS SECONDHAND (USED) FILLING MATERIALS	Minimum type size one- eighth inch in height, in capital letters. Insert description of any newly added filling materials
Finished Net Wgt. Of Filling Size _____ Mat'l _____ lbs.	
Registry No. Registry No.	
Certification is made by the manufacturer that the materials in this article are described in accordance with the law.	
Name and address of vendor or manufacturer.	optional information

Note: Authority cited: Sections 19034 and 19081, Business and Professions Code. Reference: Sections 19080, 19081, 19086, 19087, 19088, 19089.3, 19089.5, 19092 and 19093, Business and Professions Code.

1126. Official Law Label Requirements.

This section operative on and after January 1, 2015. See preceding Section 1126, operative until December 31, 2014 and inoperative as of January 1, 2015.

- (a) Attachment of Law Labels. Labels shall be securely fastened onto completed articles and bulk materials in a manner approved by the Bureau in such an area as to be openly and easily visible to view. Labels are not to be concealed or obstructed from view in any manner.
- (b) Label Material. Law labels shall be constructed of material approved by the Bureau and shall not be easily torn or defaced.
- (c) Color of Label and Color of Ink:
 - (1) A white law label printed in black ink shall be used for new materials.
 - (2) A red law label printed in black ink shall be used for materials which are in whole or in part secondhand (used).
 - (3) A green label printed in black ink shall be used for "Owner's Material."
- (d) Statements and Headings to be Shown on Law Labels:
 - (1) "UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER" shall appear at the top of the label.
 - (2) Headings shall read "All New Material" when the material is wholly new; "Secondhand (Used) Material" when the material is in whole or in part secondhand.
 - (3) Description of filling material as provided in the applicable regulations.

- (4) For owner's own materials the heading shall state: "THIS ARTICLE NOT FOR SALE" - "OWNER'S MATERIAL."
 - (5) The registry number assigned or approved by the Bureau.
 - (6) "Certification is made by the manufacturer that the materials in this article are described in accordance with law."
 - (7) For owner's own materials the certification portion of the label shall state: "CERTIFICATION IS MADE THAT THIS ARTICLE CONTAINS THE SAME MATERIAL IT DID WHEN RECEIVED FROM THE OWNER AND THAT ADDED MATERIALS ARE DESCRIBED IN ACCORDANCE WITH LAW AND CONSIST OF THE FOLLOWING."
 - (8) For owner's own materials the name and address of the owner.
 - (9) The finished size of articles of bedding such as sleeping bags, mattresses, comforters, mattress pads, pads, box springs, pillows, and similar articles, showing the width and length expressed in inches. Decorator pillows need not show size.
 - (10) The net weight of filling materials in articles of bedding such as sleeping bags, mattresses, box springs, pads and similar items, stated in pounds and ounces.
 - (11) All bulk filling materials which meet the requirements of Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation Technical Bulletin No. 117-2013, dated ~~March 2000~~ June 2013 shall have imprinted on the law label immediately following the requirements as set forth in subsection (c) of this section the statement: "THIS PRODUCT MEETS THE REQUIREMENTS OF BUREAU OF ELECTRONIC AND APPLIANCE REPAIR, HOME FURNISHINGS AND THERMAL INSULATION TECHNICAL BULLETIN 117-2013."
 - (12) In addition to the requirements set forth in subsection (11) of this section all invoices for products meeting the requirements of Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation Technical Bulletin No. 117-2013, dated ~~March 2000~~ June 2013 shall have stated on such invoices the identification of the product meeting the requirement and the statement that such identified products meet the requirements of Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation Technical Bulletin No. 117-2013.
- (e) Size of Law Labels and Type of Printing:
- (1) The minimum size of labels shall be 2 x 3 inches. Labels shall be larger when the required size of type and statements make it necessary.
 - (2) The minimum size of type shall be one-eighth inch in height, in capital letters.
 - (3) All printing shall be in English.
- (f) Forms of Law Labels.

Type No. 1

For articles of upholstered furniture without loose cushions, also for decorator pillows, chair cushions, quilted bedspreads, headboards, hassocks, and similar items.

<i>(Space for Stitching)</i>		(WHITE LABEL) Minimum type size one-eighth inch in height, in capital letters. Insert description of filling materials by clearly imprinting in English, using capital letters not less than one-eighth inch high. Name and address of vendor or manufacturer optional.		
UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER.				
ALL NEW MATERIAL consisting of _____				
(This space for revenue stamp when required)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Registry No.</td> </tr> <tr> <td style="padding: 2px;"> Certification is made by the manufacturer that the materials in this article are described in accordance with law. </td> </tr> </table>		Registry No.	Certification is made by the manufacturer that the materials in this article are described in accordance with law.
Registry No.				
Certification is made by the manufacturer that the materials in this article are described in accordance with law.				
Name and address of vendor or manufacturer				

Type No. 2

For articles of furniture with loose cushions.

(WHITE LABEL)			
UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER.			
ALL NEW MATERIAL consisting of _____			
BODY: _____			
BACK CUSHIONS: _____			
SEAT CUSHIONS: _____			
(This space for revenue stamp when required)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Registry No.</td> </tr> <tr> <td style="padding: 2px;"> Certification is made by the manufacturer that the materials in this article are described in accordance with law. </td> </tr> </table>	Registry No.	Certification is made by the manufacturer that the materials in this article are described in accordance with law.
Registry No.			
Certification is made by the manufacturer that the materials in this article are described in accordance with law.			
Name and address of vendor or manufacturer			
<i>(Space for Stitching)</i>			

Type No. 3

For owner's own materials.

(Space for Stitching at top or bottom)		(GREEN LABEL)
UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER.		
This Article Not For Sale OWNER'S MATERIAL —		Minimum type size one-eighth inch in height, in capital letters.
Certification is made that this article contains the same material it did when received from the owner and that added materials are described in accordance with law, and consist of the following ALL NEW MATERIAL —		
Renovated or repaired by: —		Insert description of filling materials by clearly imprinting in English, using capital letters not less than one-eighth inch high. This space optional.
Registry No. _____	Date _____	
Owner:		
Address:		
(Space for Stitching at top or bottom)		

Type No. 4

For bulk filling materials such as batting and pads.

Space for stitching or tying (method optional)	
UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER.	
ALL NEW MATERIAL —	
Insert description of filling materials by clearly imprinting in English, using capital letters not less than one-eighth inch high.	
Net Wt. _____	
Certification is made by the manufacturer that the materials in this article are described in accordance with law.	
REGISTRY NO. _____	
Name and address of vendor or manufacturer —	

Type No. 5

For packaged filling materials ready for use by the ultimate customer.

UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER.	
<p style="margin: 0;">ALL NEW MATERIAL</p> <div style="border: 1px solid black; width: 150px; margin: 10px auto; padding: 2px; text-align: center;"> REGISTRY NO. </div> <p style="margin: 5px 0; font-size: small;"> Certification is made by the manufacturer that the materials in this article are described in accordance with law. </p> <div style="border-top: 1px solid black; padding-top: 5px; font-size: x-small;"> Name and address of vendor or manufacturer </div>	<p>Minimum type size one-eighth inch in height, in capital letters.</p> <p>Insert description of filling materials by clearly imprinting in English, using capital letters not less than one-eighth inch high.</p> <p>This space optional.</p>

Type No. 6

For articles of bedding, such as bed pillows, comforters, mattress pads and similar items.

<i>(Space for Stitching)</i>		<p>(WHITE LABEL)</p> <p>Minimum type size one-eighth inch in height, in capital letters.</p> <p>Insert description of filling materials by clearly imprinting in English, using capital letters not less than one-eighth inch high.</p> <p>This space optional.</p>
UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER.		
<p style="margin: 0;">ALL NEW MATERIAL consisting of</p> <p>Finished Size _____</p>		
<div style="border: 1px solid black; height: 100px; width: 100%;"></div>	<p>Registry No. _____</p> <p>Certification is made by the manufacturer that the materials in this article are described in accordance with law</p>	
<div style="border-top: 1px solid black; padding-top: 5px; font-size: x-small;"> Name and address of vendor or manufacturer </div>		

Type No. 7

For sleeping bags, pads, mattresses, including a hybrid flotation sleep system containing a quilted fabric cover over a traditional water filled bladder, box springs and similar items.

(Space for Stitching)		(WHITE LABEL) Minimum type size one-eighth inch in height, in capital letters. Insert description of filling materials by clearly imprinting in English, using capital letters not less than one-eighth inch high. This space optional.
UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER.		
ALL NEW MATERIAL consisting of		
Finished Size _____	Net Wt. of Filling Mat'l _____	
<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"></div> <div style="width: 35%; text-align: center;"> Registry No. Certification is made by the manufacturer that the materials in this article are described in accordance with law </div> </div>		
Name and address of vendor or manufacturer		

Type No. 8

For bulk material such as batting and any filling material in loose or pre-fabricated form used or which can be used in articles of upholstered furniture.

○ Space for stitching or tying. (Method optional)	
UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER.	
ALL NEW MATERIAL	
Net Wt. _____	
Certification is made by the manufacturer that the materials in this article are described in accordance with law. This product meets the requirements of Bureau of <u>Electronic and Appliance Repair</u> , Home Furnishings and <u>Thermal Insulation</u> Technical Bulletin Number 117-2013.	
<div style="border: 1px solid black; padding: 2px; display: inline-block;"> REGISTRY NO. </div>	
Name and address of vendor or manufacturer	

Type No. 9

For bedding articles that contain whole or in part any secondhand (used) filling materials.

UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER	(Red Label) Minimum type size one-eighth inch in height, in capital letters. Insert description of any newly added filling materials
THIS PRODUCT CONTAINS SECONDHAND (USED) FILLING MATERIALS	
Finished Net Wgt. Of Filling Size _____ Mat'l _____ lbs.	
Registry No. Registry No.	
Certification is made by the manufacturer that the materials in this article are described in accordance with the law.	
Name and address of vendor or manufacturer.	optional information

Note: Authority cited: Sections 19034 and 19081, Business and Professions Code. Reference: Sections 19080, 19081, 19086, 19087, 19088, 19089.3, 19089.5, 19092 and 19093, Business and Professions Code.

Repeal Section 1370 of Article 13 as follows:

1370. Flame Resistant, Flame Retardant.

- ~~(a) Filling materials labeled as "flame resistant," "flame retardant" and words of similar import shall be tested in accordance with, and shall meet the requirements of, the State of California, Bureau of Home Furnishings Technical Bulletin No. 117, entitled "Requirements, Test Procedures and Apparatus for Testing the Flame Retardance of Filling Materials Used in Upholstered Furniture," dated March 2000.~~
- ~~(b) Fabrics labeled as "flame resistant," "flame retardant," and words of similar import shall be tested in accordance with, and shall meet the requirements of, the State of California, Bureau of Home Furnishings Technical Bulletin No. 105, entitled, "Requirements, Test Procedures and Apparatus for Testing the Flame Retardance of Fabrics," dated January 1980.~~

Note: Authority cited: Sections 19034 and 19161, Business and Professions Code. Reference: Section 19161, Business and Professions Code.

Amend Section 1373.2 of Article 13 to read as follows:

1373.2. Flammability; Flexible Polyurethane Foam.

This section operative until December 31, 2014. This section inoperative as of January 1, 2015. See following Section 1373.2, operative on and after January 1, 2015.

All flexible polyurethane foam in the form of slabs, blocks, or sheets, or which is shredded (loose or packaged), except polyurethane foam which cannot reasonably be expected to be used in or as an article of furniture or in or as a mattress, that is offered for sale to the general public at retail outlets in this state for non-commercial or non-manufacturing purposes shall meet the test requirements set forth in Section A, Part I; Section A, Part II and Section D, Part II of the State of California, Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation Technical Bulletin No. 117, entitled "Requirements, Test Procedures and Apparatus for Testing the Flame Retardance of Filling Materials Used in Upholstered Furniture," dated March 2000.

Note: Authority cited: Section 19034, Business and Professions Code. Reference: Section 19161.3, Business and Professions Code.

1373.2. Flammability; Flexible Polyurethane Foam.

This section operative on and after January 1, 2015. See preceding Section 1373.2, operative until December 31, 2014 and inoperative as of January 1, 2015.

On and after January 1, 2015, All flexible polyurethane foam in the form of slabs, blocks, or sheets, or which is shredded (loose or packaged), except polyurethane foam which cannot reasonably be expected to be used in or as an article of furniture or in or as a mattress, that is offered for sale to the general public at retail outlets in this state for non-commercial or non-manufacturing purposes shall meet the test fire retardant requirements set forth in ~~Section A, Part I; Section A, Part II and Section D, Part II~~ Section 3, Resilient Filling Material Test of the State of California, Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation Technical Bulletin No. 117-2013, entitled "Requirements, Test Procedures and Apparatus for Testing the Flame Retardance Smolder Resistance of Filling Materials Used in Upholstered Furniture," dated ~~March 2000~~ June 2013 which is incorporated by reference. This section shall not apply to flexible polyurethane foam manufactured prior to January 1, 2015.

Note: Authority cited: Section 19034, Business and Professions Code. Reference: Section 19161.3, Business and Professions Code.

Amend section 1374 of Article 13 to read as follows:

1374. Flammability; Upholstered and Reupholstered Furniture.

This section operative until December 31, 2014. This section inoperative as of January 1, 2015. See following Section 1374, operative on and after January 1, 2015.

- (a) All filling materials contained in any article of upholstered furniture, and all filling materials added to reupholstered furniture, shall meet the test requirements as set forth in the State of California, Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation Technical Bulletin Number 117, entitled "Requirements, Test Procedures and Apparatus for Testing the Flame Retardance of Filling Materials Used in Upholstered Furniture," dated March 2000.

- (b) In addition to the requirements of subsection (a) above, finished articles of upholstered furniture may also be tested in accordance with the State of California, Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation Technical Bulletin Number 116 entitled "Test Procedures and Apparatus for Testing the Flame Retardance of Upholstered Furniture," dated January 1980.
- (c) ~~On and after March 1, 1992, a~~All upholstered seating furniture sold for use in public occupancies, as defined in subsection (d) below, shall meet the test requirements set forth in the State of California, Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation Technical Bulletin Number 133, entitled "Flammability Test Procedure For Seating Furniture For Use in Public Occupancies," dated January 1991.
- (d) For purposes of this section, the term "public occupancies" shall mean:
 - (1) Jails, prisons, and penal institutions, as defined in Chapter 3 of the California State Building Standards Code.
 - (2) Hospitals, mental health facilities, and similar health care facilities, as defined in Chapter 3 of the California State Building Standards Code.
 - (3) Nursing homes, board and care facilities, and convalescent homes, as defined in Chapter 3 of the California State Building Standards Code.
 - (4) Child day care centers, as defined in Chapter 3 of the California State Building Standards Code.
 - (5) Public auditoriums and stadiums, as defined in Chapter 3 of the California State Building Standards Code.
 - (6) Public assembly areas, as defined in Chapter 3 of the California State Building Standards Code, containing ten (10) or more articles of seating furniture and located in hotels, motels and lodging houses.
- (e) Public occupancies and public assembly areas, as defined in Section 1374(d), which are fully sprinklered in accordance with either National Fire Protection Association (NFPA) Standard NFPA 13-1996 or Uniform Building Code Standard No. 38-1, dated 1988 shall either comply with the requirements of section 1374(a) ~~and may comply with or~~ the requirements of section 1374(c).
- (f) The flammability requirements contained in this section are considered to be flammability performance standards. Testing under these standards shall be at the discretion of the licensee; however, products and materials offered for sale in this state shall meet all applicable flammability requirements established in these regulations.

Note: Authority cited: Sections 19034 and 19161, Business and Professions Code. Reference: Section 19161, Business and Professions Code.

1374. Flammability; Upholstered and Reupholstered Furniture.

This section operative on and after January 1, 2015. See preceding Section 1374, operative until December 31, 2014 and inoperative as of January 1, 2015.

- (a) On and after January 1, 2015, Aall filling materials and cover fabrics contained in any article of upholstered furniture, ~~and all filling materials~~ added to reupholstered furniture, shall meet the ~~test~~ fire retardant requirements as set forth in the State of California, Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation Technical Bulletin Number ~~117-2013~~, entitled "Requirements, Test Procedures and Apparatus for Testing the ~~Flame Retardance~~ Smolder Resistance of Filling Materials Used in Upholstered Furniture," dated ~~March 2000~~ June 2013 and be labeled in accordance with

Section 1374.3. This section incorporates by reference Technical Bulletin 117-2013 and shall not apply to filling materials and cover fabric manufactured prior to January 1, 2015.

- (b) In addition to the requirements of subsection (a) above, finished articles of upholstered furniture may also be tested in accordance with the State of California, Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation Technical Bulletin Number 116 entitled "Test Procedures and Apparatus for Testing the Flame Retardance of Upholstered Furniture," dated January 1980.
- (c) ~~On and after March 1, 1992, a~~All upholstered seating furniture sold for use in public occupancies, as defined in subsection (d) below, shall meet the test requirements set forth in the State of California, Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation Technical Bulletin Number 133, entitled "Flammability Test Procedure For Seating Furniture For Use in Public Occupancies," dated January 1991.
- (d) For purposes of this section, the term "public occupancies" shall mean:
 - (1) Jails, prisons, and penal institutions, as defined in Chapter 3 of the California State Building Standards Code.
 - (2) Hospitals, mental health facilities, and similar health care facilities, as defined in Chapter 3 of the California State Building Standards Code.
 - (3) Nursing homes, board and care facilities, and convalescent homes, as defined in Chapter 3 of the California State Building Standards Code.
 - (4) Child day care centers, as defined in Chapter 3 of the California State Building Standards Code.
 - (5) Public auditoriums and stadiums, as defined in Chapter 3 of the California State Building Standards Code.
 - (6) Public assembly areas, as defined in Chapter 3 of the California State Building Standards Code, containing ten (10) or more articles of seating furniture and located in hotels, motels and lodging houses.
- (e) Public occupancies and public assembly areas, as defined in Section 1374(d), which are fully sprinklered in accordance with either National Fire Protection Association (NFPA) Standard NFPA 13-1996 or Uniform Building Code Standard No. 38-1, dated 1988 shall either comply with the requirements of section 1374(a) ~~and may comply with~~ or the requirements of section 1374(c).
- (f) The flammability requirements contained in this section are considered to be flammability performance standards. Testing under these standards shall be at the discretion of the licensee; however, products and materials offered for sale in this state shall meet all applicable flammability requirements established in these regulations.

Note: Authority cited: Sections 19034 and 19161, Business and Professions Code. Reference: Section 19161, Business and Professions Code.

Repeal section 1374.1 of Article 13 as follows:

1374.1. Exemptions.

- ~~(a) Articles exempted from the provisions of Section 1374 of these regulations shall have a label attached to the surface area of the article, in plain view stating the following:~~

~~NOTICE~~

~~THIS ARTICLE DOES NOT MEET CALIFORNIA BUREAU OF HOME FURNISHINGS
FLAMMABILITY REQUIREMENTS TECHNICAL BULLETIN 117. CARE SHOULD BE
EXERCISED NEAR OPEN FLAME OR WITH BURNING CIGARETTES.~~

- ~~(b) The minimum size of the label shall be 2 x 3 inches and the minimum size of type shall be one-eighth inch in height. All type shall be in capital letters.~~

Note: Authority cited: Section 19034, Business and Professions Code. Reference: Sections 19081 and 19161.5, Business and Professions Code.

Amend section 1374.2 of Article 13 to read as follows:

1374.2. Criteria for Exemption.

Articles of upholstered furniture, other than furniture used for and in facilities designed for the care or treatment of humans, which meet any of the following criteria shall be exempt from compliance with the provisions of Section 19161 of the Home Furnishings Act:

- (a) Cushions and pads intended solely for outdoor use.
- (b) Any article which is smooth surfaced and contains no more than one-half (1/2) inch of filling material, provided that such article does not have a horizontal surface meeting a vertical surface.
- (c) Strollers, infant carriers, and nursing pillows Bassinets, booster seats, car seats, changing pads, floor play mats, highchairs, highchair pads, infant bouncers, infant carriers, infant seats, infant swings, infant walkers, nursing pads, nursing pillows, playpen side pads, playards, portable hook-on chairs, and strollers.
- (d) Any article manufactured in accordance with a written prescription from any one of the health care professionals set forth in this subdivision, or manufactured in accordance with other comparable written medical therapeutic specification, to be used in connection with the treatment or management of a named individual's physical illness or injury. Any one of the following health care professionals may provide the written prescription required by this subdivision provided that the health care professional has a current and valid license to practice in California or any other state of the United States in which the prescription was written: physicians, chiropractors or osteopaths.

Note: Authority cited: Section 19034, Business and Professions Code. Reference: Section 19161.5, Business and Professions Code.

Amend section 1374.3 of Article 13 to read as follows:

1374.3. Labeling.

This section operative until December 31, 2014. This section inoperative as of January 1, 2015. See following Section 1374.3, operative on and after January 1, 2015.

- (a) Upholstered furniture conforming to the requirements of Section 1374(a) and 1374(b) of these regulations shall have a label permanently attached to the article, in plain view, stating the following:

NOTICE

THIS ARTICLE MEETS ALL FLAMMABILITY REQUIREMENTS OF CALIFORNIA BUREAU OF ELECTRONIC AND APPLIANCE REPAIR, HOME FURNISHINGS AND THERMAL INSULATION TECHNICAL BULLETINS 116 AND 117. CARE SHOULD BE EXERCISED NEAR OPEN FLAME OR WITH BURNING CIGARETTES.

- (b) Upholstered articles conforming to Section 1374(a) but which may not conform to Section 1374(b) shall have a label permanently attached to the article, in plain view, stating the following:

NOTICE

THIS ARTICLE MEETS THE FLAMMABILITY REQUIREMENTS OF CALIFORNIA BUREAU OF ELECTRONIC AND APPLIANCE REPAIR, HOME FURNISHINGS AND THERMAL INSULATION TECHNICAL BULLETIN 117. CARE SHOULD BE EXERCISED NEAR OPEN FLAME OR WITH BURNING CIGARETTES.

- (c) Articles of furniture conforming to the requirements of section 1374(c) shall have a label permanently attached to the article, in plain view, stating the following:

NOTICE

THIS ARTICLE IS MANUFACTURED FOR USE IN PUBLIC OCCUPANCIES AND MEETS THE FLAMMABILITY REQUIREMENTS OF CALIFORNIA BUREAU OF ELECTRONIC AND APPLIANCE REPAIR, HOME FURNISHINGS AND THERMAL INSULATION TECHNICAL BULLETIN 133. CARE SHOULD BE EXERCISED NEAR OPEN FLAME OR WITH BURNING CIGARETTES.

- (d) Minimum size of the label for subsections (a), (b) and (c) shall be 2 x 3 inches and the minimum size of the type shall be one-eighth inch in height. All type shall be in capital letters.
- (e) All flammability labels described in sections 1373.1, ~~1374.1~~, and 1374.3 shall also comply with the labeling requirements of sections 1126(a) and (b).

Note: Authority cited: Sections 19034 and 19161, Business and Professions Code. Reference: Sections 19080, 19081 and 19161, Business and Professions Code.

1374.3. Labeling.

This section operative on and after January 1, 2015. See preceding Section 1374.3, operative until December 31, 2014 and inoperative as of January 1, 2015.

- (a) Upholstered furniture conforming to the requirements of Section 1374(a) and 1374(b) of these regulations shall have a label permanently attached to the article, in plain view, stating the following:

NOTICE

THIS ARTICLE MEETS ALL FLAMMABILITY REQUIREMENTS OF CALIFORNIA BUREAU OF ELECTRONIC AND APPLIANCE REPAIR, HOME FURNISHINGS AND THERMAL INSULATION TECHNICAL BULLETINS 116 AND 117-2013. CARE SHOULD BE EXERCISED NEAR OPEN FLAME OR WITH BURNING CIGARETTES.

- (b) Upholstered articles conforming to Section 1374(a) but which may not conform to Section 1374(b) shall have a label permanently attached to the article, in plain view, stating the following:

NOTICE

THIS ARTICLE MEETS THE FLAMMABILITY REQUIREMENTS OF CALIFORNIA BUREAU OF ELECTRONIC AND APPLIANCE REPAIR, HOME FURNISHINGS AND THERMAL INSULATION TECHNICAL BULLETIN 117-2013. CARE SHOULD BE EXERCISED NEAR OPEN FLAME OR WITH BURNING CIGARETTES.

- (c) Articles of furniture conforming to the requirements of section 1374(c) shall have a label permanently attached to the article, in plain view, stating the following:

NOTICE

THIS ARTICLE IS MANUFACTURED FOR USE IN PUBLIC OCCUPANCIES AND MEETS THE FLAMMABILITY REQUIREMENTS OF CALIFORNIA BUREAU OF ELECTRONIC AND APPIANCE REPAIR, HOME FURNISHINGS AND THERMAL INSULATION TECHNICAL BULLETIN 133. CARE SHOULD BE EXERCISED NEAR OPEN FLAME OR WITH BURNING CIGARETTES.

- (d) Minimum size of the label for subsections (a), (b) and (c) shall be 2 x 3 inches and the minimum size of the type shall be one-eighth inch in height. All type shall be in capital letters.
- (e) All flammability labels described in sections 1373.1, ~~1374.1~~, and 1374.3 shall also comply with the labeling requirements of sections 1126(a) and (b).

Note: Authority cited: Sections 19034 and 19161, Business and Professions Code. Reference: Sections 19080, 19081 and 19161, Business and Professions Code.

Amend section 1383.2 of Article 15.5 to read as follows:

1383.2. Fines.

(a) The chief shall assess fines in accordance with the following schedule: provided, however, in no case shall the total exceed \$2,500 for each inspection made with respect to the violation.

<u>Rule*</u>	<u>Description</u>	<u>Range of Fines</u>
Article 1. General Provisions.		
1108	Procedure Re License	\$150 to 1,500
1109	"Withhold from Sale" Tag	100 to 1,000
1110	Names of Filling Materials	100 to 1,000
1113	Deviation from Percentages Stated	100 to 1,000
1114	Water Repellent, Water Resistant	100 to 1,000
1116	Mildew Proof, Mildew Resistant	100 to 1,000
1118	Moth Proof, Moth Resistant	100 to 1,000
1119	Bacteria Proof, Odor Resistant	100 to 1,000
1120	Stain Proof, Stain Resistant	100 to 1,000
1121	Soil Resistant, Soil Repellent	100 to 1,000

Article 2. Official Law Labels for Upholstered Furniture and Bedding and Bulk Filling Materials.

1125	Labeling Requirements	100 to 1,000
1126	Official Law Label Requirements	100 to 1,000

Article 2.5. Universal Filling Requirements.

1130	Cleanliness	100 to 1,000
1131	Oil and Grease Limitations	100 to 1,000
1132	Trash Limitation – Vegetable Fibers	100 to 1,000
1133	Sludge Limitations	100 to 1,000
1134	Residue Limitations	100 to 1,000

Article 3. Universal Definitions and Labeling.

1135	Terms of Definition and Label Requirements	100 to 1,000
1137	Care Instructions	100 to 1,000

Article 5. Plumage Regulations.

1192.1	Plumage Products - Comply with Federal Standards	100 to 1,000
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Article 9. Sanitization Regulations.

1253	Chamber Identification	100 to 1,000
1254	Lot (sanitization)	100 to 1,000
1256	Records (sanitization)	100 to 1,000
1258	Method of Sanitization	100 to 1,000
1265	Disinfecting (sanitization)	100 to 1,000
1266	Official Sanitization Label (sanitization) Requirements	100 to 1,000

Article 10. False or Misleading Advertising.

1301	Former Price	200 to 2,000
1302	Former Price of Same Article	200 to 2,000
1304.1	Bait and Switch Advertising	200 to 2,000
1305	Special Sale	200 to 2,000
1306	Purchase of Additional Merchandise	200 to 2,000
1307	Pre-Ticketing	200 to 2,000
1308	Imperfects, Irregulars, Second or Damaged	200 to 2,000
1309	Factory Outlet	200 to 2,000
1309.1	Factory Sales	200 to 2,000
1309.2	Factory Direct	200 to 2,000
1310	Custom Made	200 to 2,000
1311	Labor Free	200 to 2,000
1312	Liquidation	200 to 2,000
1313	Guarantee and Warranty	200 to 2,000
1314	Disclosure of Guarantee	200 to 2,000
1315	Pro-rata Guarantee	200 to 2,000
1316	Secondhand Merchandise	200 to 2,000

Article 12. Liquid-Filled Bedding Regulation

1351	Official Law Labels (waterbeds)	100 to 1,000
1353	Information Label (waterbeds)	100 to 1,000
1354	Water Mattress (waterbeds)	100 to 1,000
1355	Waterbed Lines (waterbeds)	100 to 1,000
1356	Waterbed Frames (waterbeds)	100 to 1,000
1356.1	Waterbed Frame Addition (waterbeds)	100 to 1,000
1356.2	Waterbed Deck (waterbeds)	100 to 1,000
1356.3	Waterbed Riser (waterbeds)	100 to 1,000
1357	Waterbed Heaters (waterbeds)	100 to 1,000
1358	Quality Control (waterbeds)	100 to 1,000
1359	Manufacturing Facilities (waterbeds)	100 to 1,000
1360	Required Consumer Information (waterbeds)	100 to 1,000

Article 13. Flammability Regulations

1370	Flame Resistant, Flame Retardant	250 to 2,500
1371	Mattresses	250 to 2,500
1373.1	Non-Flame Retardant Polyurethane Foam	250 to 2,500
1373.2	Flammability; Flexible Polyurethane Foam	250 to 2,500
1374	Flammability; Upholstered and Reupholstered Furniture	250 to 2,500
1374.1	Exemptions	250 to 2,500
1374.3	Labeling	100 to 1,000

Article 14. Custom Upholsterers.

1375	Oral Consent to Revision of Estimate and/or Work Order	150 to 1,500
1377	Estimate and Work Order Form Requirements	150 to 1,500

Business and Professions Code Section

Article 3. Licensing.

19060	Separate license for each branch house	150 to 1,500
19060.5	On his own account	150 to 1,500
19060.6	Contracts for repair of furniture and bedding	150 to 1,500
19061	One address, multiple names	150 to 1,500
19062	Posting of license	100 to 1,000

Article 4. Application of Chapter.

19071	Sanitization	100 to 1,000
19072	Compliance with chapter defined	150 to 1,500
19072.5	Responsibility for labeling	100 to 1,000
19072.6	Labeling of slip seats	100 to 1,000

Article 5. Labeling.

19080	Law label	100 to 1,000
19083	Attaching labels	100 to 1,000
19084	Printing on one side	100 to 1,000
19085	Advertising on label	100 to 1,000
19086	Covering label	100 to 1,000
19087	Removal of labels	250 to 2,500
19088	Misleading information on labels	200 to 2,000
19089.3	Waterbed labels	100 to 1,000
19089.5	Non fire retardant material label	250 to 2,500
19092	Secondhand material label	100 to 1,000
19093	Custom Upholster label	100 to 1,000

Article 6. Sanitization.

19121	Resale of soiled bedding	100 to 1,000
19122	Testing of sanitization equipment	100 to 1,000
19123.4	Sanitization of secondhand filling	100 to 1,000
19123.5	Sanitization for resale	100 to 1,000
19123.6	Sanitization of secondhand bedding	100 to 1,000
19124	Sanitization in accordance with regulations	100 to 1,000
19124.5	Affixing sanitization label	100 to 1,000
19127.5	Illegal possession of sanitization label	100 to 1,000
19127.6	Sanitizer label records	100 to 1,000
19129	Sanitization of secondhand bedding	100 to 1,000
19131	Sanitization of bedding contagious disease	250 to 2,500
19132	Separation of sanitized items from unsanitized items	100 to 1,000

Article 7. Regulations.

19150	False advertising	200 to 2,000
19151	Misleading illustrations	200 to 2,000
19152	Unconditional warranties	200 to 2,000
19158	Custom upholsterer ID label	100 to 1,000
19160	Cleanliness of premises	100 to 1,000
19161	Fire retardant requirements	250 to 2,500

19161.3	Fire retardant polyurethane foam	250 to 2,500
19162	Custom upholsterer estimate	150 to 1,500
19163	Custom upholsterer work order	150 to 1,500
19165	Insulation product testing	250 to 2,500

Article 9. Enforcement.

19204	Removal of Withhold tag	250 to 2,500
19205	Failure to produce withheld products	250 to 2,500
19206	Interference with an inspector's duties	250 to 2,500

*References for Rules are to sections of Title 4 of the California Code of Regulations.

Note: Authority cited: Sections 125.9, 148 and 19034, Business and Professions Code.

Reference: Sections 125.9 and 148, Business and Professions Code.

Tonya Blood, Bureau Chief
Bureau of Electronic and Appliance Repair,
Home Furnishings and Thermal Insulation